

REMARKS/ARGUMENTS

I. INTRODUCTION

Claims 14-19, 24, and 27 are pending in the present application. This Amendment/Response ("Amendment") is filed to respond to the Office Action dated November 19, 2009. In the office Action, the Examiner has referred to claim 25/14 in his rejections. However, in the section titled "IN THE CLAIMS," it is noted that claim 25 has been withdrawn. Accordingly, Applicant will not respond to the Examiner's rejection as it applies to claim 25/14.

In the Office Action, the Examiner set forth the following rejections related to the claims:

A. claims 14-19, 24, and 27 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to adequately point out and distinctly claim subject matter which Applicant regards as the invention for reciting the "non-deformable" with respect to the second section;

B. claims 14-17, 19/17, 24, and 27 are rejected under 35 U.S.C. § 102(b) for anticipation based on U.S. Patent No. 2,134,020 to Anson ("Anson");

C. claims 14, 18, and 19/18 are rejected under 35 U.S.C. § 102(b) for anticipation based on Gemma; and

D. claim 14 is rejected under 35 U.S.C. § 102(b) for anticipation based on U.S. Patent No. 5,207,713 to Park ("Park");

Applicant will demonstrate herein that the claims, as amended, overcome the objections and each of the bases of rejection advanced by the Examiner, thereby, placing in the present application in condition for allowance.

II. LEGAL STANDARD

As stated in Section I, the Examiner has rejected claims 14-19/17, 24, and 27 for anticipation under 35 U.S.C. § 102(b) based on Anson; claims 14, 18, and 19/18 for anticipation under 35 U.S.C. § 102(b) based on Gemma; and claim 14 for anticipation under 35 U.S.C. § 102(b) based on Park.

The standard for sustaining a rejection for anticipation is a single prior art reference must disclose each and every limitation of the claim. *See, e.g., Schering Corp. v. Geneva Pharma., Inc.*, 339 F.3d 1373, 1377 (Fed. Cir. 2003) (“[a] patent [claim] is invalid for anticipation if a single prior art reference discloses each and every limitation of the claimed invention”); *Trintec Industries, Inc. v. Top-USA Corp.*, 295 F.3d 1292, 1295 (Fed. Cir. 2002) (“[a] single prior art reference anticipates a patent claim if it expressly or inherently describes each and every limitation set forth in the patent claim.... Inherent anticipation requires that the missing descriptive material is ‘necessarily present,’ not merely probably or possibly present, in the prior art”); *Brown v. 3M*, 265 F.3d 1349, 1351 (Fed. Cir. 2001) (“[t]o anticipate, every limitation of the claimed invention must be found in a single prior art reference, arranged as in a claim”); *Kloster Speedsteel AB v. Crucible, Inc.*, 794 F.2d 1565, 1571 (Fed. Cir. 1986) (“absent from the reference of any claimed element negates anticipation”). Neither Anson, Gemma, nor Park meets this standard.

III. THE INDEFINITENESS REJECTION IS TRAVERSED

The Examiner has rejected claims 14-19, 24, and 27 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to adequately point out and distinctly claim subject matter which Applicant regards as the invention for reciting the “non-deformable” with respect to the second section. In advancing this rejection, the Examiner cited the footnote on page 2 of the Board of Appeals and Interferences decision dated September 2, 2009. Applicant has amended the specification and claims 14-19, 24, and 27 consistent with the Board decision to clarify any possible ambiguity in specification and claims. Therefore, applicant has traversed the indefiniteness rejection set forth by the Examiner pursuant to rejection under 35 U.S.C. § 112, second paragraph, and respectfully requests that this rejection be withdrawn.

IV. CLAIMS 14-19/17, 24, AND 27 ARE NOVEL IN VIEW OF ANSON

The Examiner rejected claims 14-17, 19/17, 24, and 27 under 35 U.S.C. § 102(b) for anticipation based on Anson. Of these claims, claim 14 is an independent claim, and the remainder of the claims, namely claims 13-17, 19/17, 24, and 27, depend directly or indirectly from claim 14.

With regard to claim 14, the only portion of Anson the Examiner cites to support the anticipation rejection is the Examiner's marked-up version of Figure 8 that was attached to the Office Action as Appendix 1. The remainder of the basis of rejection is the Examiner's contentions based on supposedly adding the reference numbers from Anson to the language of claim 14 without supporting citations to Anson. This is not sufficient to support a *prima facie* anticipation rejection given the structural and functional recitations of claim 14. Accordingly, this alone is sufficient grounds for the traverse of the anticipation rejection based on Anson. Even given the foregoing, Applicant submits Anson does not anticipate claim 14 of the present application.

Applicant submits the Examiner is relying on substantially all of page 1 and a small portion of page 2 of Anson to allegedly support his rejection. Given this broad citation to Anson by the Examiner, Applicant provides the following portions of Anson that are believed to be germane to the Examiner's rejection of claim 14. The general problem that is allegedly solved by Anson is the following:

I [Anson] have found that in the driving of an automobile and particular when driving for extended periods of time over long distances, the normal manner of holding and manipulating the steering wheel, wherein both driver's hands grasp the wheel and positions which require the driver's arms remain in a raised and more or less unnatural and uncomfortable position, considerable strain develops in the driver's hands, arms, shoulders and back particularly, and results in excess of fatigue...

To obviate these disadvantages, I have devised an attachment for steering wheel, which permits a driver to assume a completely comfortable and relaxed driving position, while at the same time, affords a means permitting the driver to at all times retain positive operating control of the steering wheel.

To this end, I have devised an attachment which comprises generally an auxiliary grip handle is attachable to a steering wheel and extends from the wheel so that it permits the driver to grasp the handle with one hand while that hand is resting in a completely relaxed position in his lap.... My new attachment is preferably construction of a rubber or similar composition material which is sufficiently resilient to be comparably gripped by the hand and sufficiently pliable to yield readily to pressure of contact with more or less solid structures, such as the body or legs of the driver, but which is characterized by sufficient rigidity to afford a positive means of control or manipulation of the wheel by the driver.

Therefore the general object of the invention is to provide an attachment for relieving strain resulting from the normal method of steering automobiles while driving on distances.

A principal object is to provide an improved flexible... steering grip... which will permit the driver to remove his hands from the wheel and allow them to be positioned in a comfortable and relaxed position while enabling adequate steering of the car to be had with one hand, leaving the other hand free for signaling purposes or for purposes of complete rest and relaxation.

* * *

Referring to the drawing and Figs. 1 and 2 in particular, the steering attachment of this invention is shown attached in the normal driving position to a steering wheel 10. The attachment comprises a handgrip portion 11, which preferably a bulbular form and constructed of a flexible material such as rubber or similar pliable composite material. [Emphasis added.]

Anson, Page 1, Left Column, Line 6 -- Right Column, Line 53.

However, Applicant would like to bring to the Examiner's attention to the following quotation from the Pages 1 and 2 that are also germane to the understanding of the alleged invention of Anson:

The attachment comprises a hand grip portion 11, which is preferably of bulbular form.... Grip portion 11 normally extends downwardly from the wheel rim and is of suitable length to adapt same to extend to the region of the driver's lap so that it may be grasped by the driver's hand when his hand is resting in a normal comfortable position in his lap. Grip portion 11 is reduced in cross-sectional area at one end to form a neck 12. Neck 12...will have sufficient pliability...to be deflected from its normal pendant position without adversely affecting the measure of control of the steering wheel movements afforded by the positive operating movement of the attachment, while at the same time, neck 12 will retain sufficient rigidity to permit operating movements of hand grip 11 to be positively communicated to the steering wheel rim for effective control of its movements.

Anson, Page 1, Right Column, Line 49 – Page 2, Left Column, Line 18.

Claim 14, as amended, recites the following:

14. (Currently Amended) A fatigue relieving/preventing apparatus associated with a steering wheel for controlling a vehicle, comprising:

a first section that connects to an upper one-half (1/2) of a peripheral portion of the steering wheel; and

a rigid, semi-rigid or flexible, or deformable second section that connects to, and extends from the first section at the peripheral portion of the steering wheel, the second section extends

from the first section outward at an angle to a plane across a front face of the steering wheel, the second section for providing resting support for at least a portion of a vehicular operator's body when pressure from the portion of the vehicular operator's body on the second section is less than the pressure for deforming the second section out of interference with the vehicular operator's ability to operate the steering wheel, and deforming out of interference with the vehicular operator's ability to operate the steering wheel when pressure from the portion of the vehicular operator's body on the second section is equal to or greater than the pressure for deforming the second section out of interference with the vehicular operator's ability to operate the steering wheel. [Emphasis added.]

As shown above with regard to the invention of claim 14, the apparatus of the invention is disposed on the upper one-half (1/2) of the steering wheel, which is supported by Figures 1 and 2 of the present application, and the "second section" provides resting support for the vehicle operator's arm(s), wrist(s), etc.

Figure 8 of Anson shows the normal position of the steering wheel attachment. This position is a pendant position at the bottom of the steering wheel. Anson clearly states in the quotation above that the problem to be allegedly solved is eliminating the problems associated with steering the vehicle with the driver's hands at the normal 10:00 and 2:00 positions (Anson, Page 1, Left Column, Lines 6-18 and Lines 44-47). This is accomplished by moving steering to the bottom of steering wheel using the attachment (Page 1, Right Column, Line 46 - Page 2, Left Column, Line 4). Claim 14, as amended, recites the apparatus of the present invention is disposed on the upper one-half (1/2) of the steering wheel periphery. This provides a structural difference between Anson and the present invention.

According to Anson, the attachment is not usable when placed at the upper one-half (1/2) of the periphery of the steering wheel. This is supported by Anson at Page 2, Right Column, lines 68-72, where it states:

Similarly, the attachment may be rotated about the steering wheel rim from its normal pendant position to a position within the periphery of the steering wheel when it becomes desirable to dispense with its use in operating the wheel.

According to the quotation immediately above, a steering wheel attachment of Anson will be moved to the upper one-half (1/2) of the steering wheel so that it will extend within the periphery when it is no longer desirable to be used for steering the vehicle. Accordingly, the

steering wheel attachment of Anson is inoperable when located at the upper one-half (1/2) of the steering wheel.

Applicant also submits that Anson does not provide resting support for the vehicle driver's hands as asserted by the Examiner. More specifically, the bulbular-formed grip portion 11 does not provide "resting support" for the driver's body; that is provided by the driver's lap. Applicant's position in this regard is supported at least in two sections of Anson. The first is found at Page 1, Right Column, Line 49 -- Page 2, Line 18, which was previously quoted in this Amendment. The second is at Page 2, Right Column, Lines 49-56, which states:

From the foregoing it will be evident that by means of any one of the described modifications of my new steering wheel attachment, the ordinary steering wheel movements may be completely controlled with one hand by the driver while that hand is in a comfortably supported position in the driver's lap, the other hand being free for purposes of signaling or repose. [Emphasis added.]

This will be addressed in greater detail in Section VII of this Amendment.

Noting the foregoing, Anson does not support the Examiner's basis for rejecting claim 14 and this rejection should be withdrawn.

Claims 13-17, 19/17, 24, and 27 depend from claim 14. As such, each of these claims adds features to claim 14. Therefore, since claim 14 is not anticipated by Anson, then claims 13-17, 19/17, 24, and 27 are not anticipated by Anson for at least the same reasons. As such, Applicant has traversed the Examiner's anticipation rejection as applied to claims 14-17, 19/17, 24, and 27. Applicant requests that this rejection be withdrawn.

V. CLAIMS 14, 18, AND 19/18 ARE NOVEL IN VIEW OF GEMMA

The Examiner rejected claims 14, 18, and 19/18 under 35 U.S.C. § 102(b) for anticipation based on Gemma. Of these claims, claim 14 is an independent claim, and claims 18 and 19/18 depend from claim 14. In rejecting claims 14, 18, and 19/18, the Examiner contends that Gemma teaches a fatigue relieving/preventing apparatus. Applicant submits that the Examiner's contention that Gemma teaches a fatigue relieving/preventing apparatus is misplaced.

Gemma is directed to stress relief (Gemma, paragraph [0007]). Further, Gemma states the following at paragraph [0027]:

Regardless of the type of stress relief steering wheel cover that is employed, the use remains the same. While driving and experiencing stress, the driver would place his or her hands around the cover 10 and squeeze tightly. It would be found that this type of release of energy can reduce the level of stress, along with the emotional response associated therewith. [Emphasis added.]

The two sacs at 10:00 and 2:00 on the steering wheel cover of Gemma are meant to be squeezed tightly for the purpose of stress relief. There is no teaching or suggestion in Gemma that the stress relief provides any type of fatigue relief. Although the Examiner states Gemma provides “fatigue relief,” there is nothing in Gemma to support this position of the Examiner.

As demonstrated above in this Section V, Gemma is directed to stress relief. The sacs of the steering wheel cover are held by the driver and tightly squeezed when necessary to relieve stress. (See paragraph [0008]). When it is not necessary to relieve stress, the sacs are not held. Whether held or not, the sacs of the steering wheel cover do not provide fatigue relief as the Examiner contends. The Examiner has failed to support the anticipation rejection based on Gemma with any citations to Gemma where it states this reference provides fatigue relief.

Claim 14 with respect to the second section states:

a rigid, semi-rigid or flexible, or deformable second section that connects to, and extends from the first section at the peripheral portion of the steering wheel, the second section extends from the first section outward at an angle to a plane across a front face of the steering wheel, the second section for providing resting support for at least a portion of a vehicular operator's body when pressure from the portion of the vehicular operator's body on the second section is less than the pressure for deforming the second section out of interference with the vehicular operator's ability to operate the steering wheel, and deforming out of interference with the vehicular operator's ability to operate the steering wheel when pressure from the portion of the vehicular operator's body on the second section is equal to or greater than the pressure for deforming the second section out of interference with the vehicular operator's ability to operate the steering wheel. [Emphasis added.]

With respect to teaching the second section of the claim 14, the Examiner cites paragraphs [0008], [0024], [0025], and [0026] of Gemma as anticipating it. These four paragraphs state the following:

[0008] To attain this, the present invention essentially comprises a stress relief steering wheel cover attached to the rim of a steering wheel. The covers are composed of sac assemblies mounted onto the steering wheel. The sac assemblies

are comprised of outer and inner layers with particulate material situated in between. The outer layer is made out of a soft cushion material. The covers are generally "C" shaped, having a narrow opening along one side to allow the cover to be fitted around the steering wheel. A strip of hook and loop fasteners is attached at each end of the opening and serves to fasten the cover around the steering wheel. Alternatively, the stress relief covers may be incorporated directly into the steering wheel. While driving and experiencing stress, the driver would place his or her hands around the covers and squeeze tightly in order to reduce his or her stress level.

[0024] The covers 10 are composed of sac assemblies mounted onto the steering wheel 12. The sac assemblies are comprised of outer and inner layers 16, 18, respectively. The outer layer 16 extends around the entire cover 10 and secures the contents of the inner layer 18 therein. The outer layer 16 defines a compartment housing particulate material 20, namely seeds, pebbles, silicon or the equivalent which are often use in other stress relief devices. The outer layer 16 is made out of a soft flexible material, such as rubber. Such a material would provide a driver with a soft gripping area, conducive to the relief of stress while driving.

[0025] As illustrated in FIG. 3, the covers 10 are "C" shaped, having a narrow longitudinal opening along one side. This opening allows the cover 10 to be fitted around the steering wheel 12. A strip of hook and loop fasteners 22 is attached at each side of the opening. The covers 10 are sized to extend along approximately $[\frac{1}{16}]$ to $[\frac{1}{8}]$ of the overall perimeter of the rim 14. Once positioned around the rim 14 of the steering wheel, the strips 22 are mated, thereby securing the cover 10 in place on the wheel 12. This construction allows the covers 10 to be moved according to one's driving habits or removed completely.

[0026] In an alternate embodiment, the stress relief covers 10 may be incorporated directly into the steering wheel 12. This may be accomplished by incorporating the particulate material 20 directly between the outer layer 16 and the rim 14 of the wheel 12 or spokes 24 contained within the rim 14 of the steering wheel 12, as seen in FIG. 2 or FIG. 4. In this embodiment, bulges 26 situated strategically around the rim 14 of the wheel or the entire spoke 24 comprise the layers described above. When stressed, a driver would place his or her hands around one or more of the spokes 24 or bulges 26 and squeeze in order to relieve stress.

A review of paragraphs [0008], [0024], [0025], and [0026] relied on by the Examiner to anticipate the second section of claim 14 demonstrates Gemma does not teach or suggest at least the following of claim 14:

the second section for providing resting support for at least a portion of a vehicular operator's body when pressure from the portion of the vehicular operator's body on the second section is less than the pressure for deforming the second section out of interference with the vehicular operator's ability to operate the steering wheel, and deforming out of interference with the vehicular operator's ability to operate the steering wheel when pressure from the portion of the vehicular operator's body on the second section is equal to or greater than the pressure for deforming the second section out of interference with the vehicular operator's ability to operate the steering wheel. [Emphasis added.]

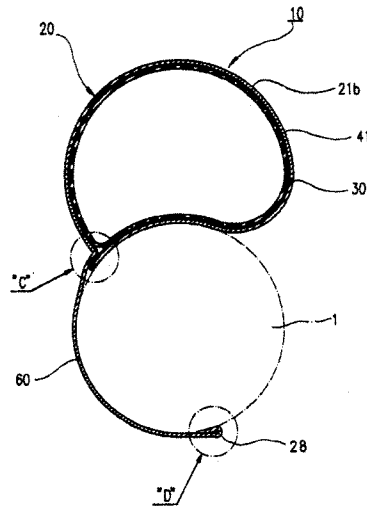
Nothing in Gemma provides for the deforming of the sacs out of interference with the operation of the steering wheel, only that the sacs are squeezed to relieve stress. Therefore, Gemma does not teach or suggest fatigue relief as the Examiner contends, nor does Gemma teach or suggest the sacs will deform out of interference with the operation of the steering wheel. As such, Applicant has demonstrated that Gemma does not anticipate claim 14.

Claims 18 and 19/18 depend from claim 14. As such, claims 18 and 19/18 add features to claim 14. Therefore, since claim 14 is not anticipated by Gemma, then claims 18 and 19/18 are not anticipated by Gemma for at least the same reasons. Applicant has traversed the Examiner's anticipated rejection based on Gemma as applied to claims 14, 18, and 19/18. Applicant requests that this anticipation rejection be withdrawn.

VI. CLAIM 14 IS NOVEL IN VIEW OF PARK

The Examiner rejected claim 14 under 35 U.S.C. § 102(b) for anticipation based on Park. Park is directed to a steering wheel safety cover to prevent injuries to the driver from impacting the steering wheel. The safety cover has an inflatable cavity on the side of the steering wheel facing the driver that may be filled with air, a liquid, or a solid elastic material. The safety cover wraps around the outer circumference of the steering wheel. To support the Examiner's anticipation rejection, he cites claims Figure 7 and 1-15 as anticipating the second section of claim 14. Figure 7 of Park is shown below:

FIG. 7



Claims 1-15 of Park state:

1. A safety cover adapted for use with a steering wheel having a generally circular handgrip portion, comprising:
 - (a) an annular impact reducing portion (20) adapted for concentric arrangement about said handgrip portion; and
 - (b) a mounting portion (60) operable to mount said impact reducing portion to said handgrip portion;
 - (c) said impact reducing portion including a partition wall portion (21) integral with said mounting portion, said partition wall portion containing a chamber (22) for receiving an impact reducing material (24).
2. A safety cover as defined in claim 1, wherein said impact reducing material is air.
3. A safety cover as defined in claim 1, wherein said impact reducing material is a liquid.
4. A safety cover as defined in claim 1, wherein said impact reducing material is a solid elastic material.
5. A safety cover as defined in claim 1, wherein said mounting portion is annular and contains an annular groove for receiving said steering

wheel handgrip portion; and further including mounting wire means (25) imbedded within the edges of, and extending parallel with, said groove.

6. A safety cover as defined in claim 1, and further wherein said mounting portion is integral with said impact reducing portion and includes an annular protruding portion that extends within a corresponding recess (1a) contained in said steering wheel.

7. A safety cover as defined in claim 6, and further including an outer leather sheet cover layer arranged concentrically about, and adhesively bonded to, said impact reducing portion, and string means extending around said steering wheel for connecting together the edges of said leather sheet cover layer, thereby to retain said safety cover on the steering wheel.

8. A safety cover as defined in claim 1, wherein said impact reducing partition wall portion includes;

- (1) an annular air tube (21b);
- (2) a layer of reinforcing cloth (30) arranged around the circumference of said air tube; and
- (3) a layer of leather (41) arranged around the circumference of said cloth layer.

9. A safety cover as defined in claim 8, and further wherein said leather layer is adhesively bonded to said cloth layer and includes an end portion connected by a line of sewing (42) with a mid portion thereof.

10. A safety cover as defined in claim 8, wherein said layer of leather is sewn at one edge by a line of sewing (42) with a wing portion (20) of said air tube, said leather layer extending circumferentially around said air tube and partially around the circumference of said steering wheel handgrip portion, and further including a string (28) mounted in the other edge portion of said leather layer, the ends of said string being exposed.

11. A safety cover as defined in claim 8, and further wherein circumferentially spaced portions of said air tube are bonded together by high frequency energy to define a plurality of independent air pockets 22b.

12. A safety cover as defined in claim 1, wherein said mounting portion includes:

- (1) a layer of reinforcing cloth (30) extending concentrically about said partition wall portion;

(2) a layer of leather (41) wrapped around said partition wall portion and including a hem portion extending partially around the steering wheel handgrip a hem portion extending partially around the steering wheel handgrip portion, thereby to define said mounting portion; and

(3) a string element (28) mounted on the free edge of said leather layer hem portion for tying said leather layer to the steering wheel.

13. A safety cover as defined in claim 1, and further including means for inflating said chamber with air, including: (1) an air pump (52); and (2) an air hose (51) connecting said air pump with said air tube.

14. A safety cover as defined in claim 13, wherein said inflating means further includes an air valve (58) connected with said air tube, and an injecting needle (59) connecting said air hose with said air tube via said air valve.

15. A safety cover as defined in claim 1, wherein said partition wall contains a plurality of air holes (23).

A review of Figure 7 and claims 1-15 demonstrates Park does not teach or suggest at least the following of claim 14 other present application:

the second section for providing resting support for at least a portion of a vehicular operator's body when pressure from the portion of the vehicular operator's body on the second section is less than the pressure for deforming the second section out of interference with the vehicular operator's ability to operate the steering wheel, and deforming out of interference with the vehicular operator's ability to operate the steering wheel when pressure from the portion of the vehicular operator's body on the second section is equal to or greater than the pressure for deforming the second section out of interference with the vehicular operator's ability to operate the steering wheel. [Emphasis added.]

Nothing in Park provides for the deforming of the steering wheel cover out of interference with the operation of the steering wheel. All that is provided is an inflatable cavity that will give the driver some level of impact protection. Further, Park does not teach or suggest fatigue relief as the Examiner contends. As such, Applicant has demonstrated that Park does not anticipate claim 14.

Applicant has traversed the Examiner's anticipation rejection based on Park as applied to claim 14. Applicant requests that this anticipation rejection be withdrawn respect to claim 14.

VII. ANSON, GEMMA, AND PARK DO NOT PROVIDE RESTING SUPPORT

At numbered paragraph 11 on page 7 of the Office Action, the Examiner seeks to refute Applicant's position the steering wheel attachment of Anson does not provide resting support. Applicant submits that neither Anson nor Gemma and Park teach, suggest, or render obvious resting support according to the claims of the present invention.

The Examiner has rejected claims 14-17, 19/17, 24, and 27 for anticipation under 35 U.S.C. § 102(b) based on Anson, claims 14, 18, and 19/18 for anticipation under 35 U.S.C. § 102(b) based on Gemma, and claim 14 for anticipation under 35 U.S.C. § 102(b) based on Park. In each of these grounds of rejection, the Examiner has advanced that Anson, Gemma, and Park anticipate the feature of "resting support" being provided by the present invention. Applicant, however, submits that this is not factually true, and at least with respect to Anson was recognized as a distinguishing feature between the claims of present invention and Anson by the Board of Patent Appeals and Interferences.

In the Office Action, the Examiner at Page 8 acknowledges that functional features of an apparatus claim can distinguish it from the prior art cited by the Examiner. With regard to Anson, the Examiner argues that "resting support" is an inherent feature of the Anson attachment. This position of the Examiner is predicated on the Anson attachment being bulbular in shape and being gripped by the driver's hand. The Examiner attempts to support the contention Anson provides a "resting support" by quoting a definition of the term "rest" from the *Merriam-Webster's Collegiate Dictionary*. Then, the Examiner makes the unnatural extension of this by stating when the driver places his hand on the bulbular portion, the driver rests his hand on that portion. Next, the Examiner makes a conclusory statement unsupported by Anson that "[s]imply put, Anson's second section inherently provides resting support for at least the hand, *i.e.*, the portion of the vehicle operator's body as claimed." The Examiner takes his position despite evidence to the contrary in Anson.

Anson at Page 1, Right Column, Line 53 -- Page 2, Left Column, Line 4 states:

Grip portion 11 normally extends downwardly from the wheel rim and is of suitable length to adapt same to extend to the region of the driver's lap so that it may be grasped by the driver's hand when his hand is resting in a normal comfortable position in his lap.

In unequivocal language, Anson specifically describes “resting support” be provided by the driver’s lap and not by the Anson attachment. The Examiner’s parsing of the words “resting support” to first describe the word “rest” based on a dictionary definition and then attempt in a conclusory manner to expand the definition of “rest” to “resting support” is clearly improper. This is especially inappropriate given that Anson describes “resting support” with regard to the Anson attachment within the four corners of Anson.

The fact that the Anson attachment did not provide “resting support” was recognized by the Board of Patent Appeals and Interferences in the Oral Hearing Transcript at pages 14-16.¹ The Examiner appears to not recognize this position of the Board.

Further, the grasping of the Anson attachment for purposes of control of the vehicle would require that the driver squeeze and hold the bulbular section 11. By grabbing and holding the bulbular section, there would not be any inherent resting support provided to the driver. Accordingly, this is another basis by which it would be understood that Anson does not provide resting support as the Examiner contends.

At Section V of this Amendment, it describes the alleged invention of Gemma as a “C” shaped steering wheel cover with stress relief sacs that are squeezed by the driver for stress relief during vehicle operation. When the sacs are squeezed, they are not providing fatigue relief; and when the sacs are not in use, there is nothing to indicate within the four corners of Gemma that they provide any type of fatigue relief. Moreover, there is nothing inherent about the sacs that would indicate they would provide fatigue relief and be deformable out of interference with the operation of the steering wheel as claimed in the present application.

At Section VI of this Amendment, it describes the alleged invention of Park as a steering wheel cover intended to reduce the effects of the impact of the steering wheel. To the extent that the steering wheel cover of Park is grasped by the driver, it may have some softness based on the cavity within the steering wheel cover being filled with air, liquid, or a solid elastic body. There is nothing within the four corners of Park that would be inherent to lead one skilled in the art to understand the steering wheel cover of Park would provide “resting support” for the driver. To

¹ Attachment A.

the extent that the driver is grasping the steering wheel cover of Park, he/she would have their hands around the steering wheel cover squeezing it, which would not be resting support according to the present invention. Further, there is nothing in Park to support that it would be deformable out of interference with the operation of the vehicle as claimed in the present application.

Noting the above, Applicant has demonstrated that neither Anson, Gemma, or Park teach, suggest, or render obvious the "resting support" feature of the claims of the present invention. Accordingly, Applicant has refuted the Examiner's contention that "resting support" is an inherent feature of Anson, Gemma, or Park.

VIII. CONCLUSION

Claims 14-19, 24, and 27 are pending in the present application. Herein, Applicant has traversed the Examiner's rejection of claims 14-17, 19/17, 24, and 27 for anticipation under 35 U.S.C. § 102(b) based on Anson, the rejection of claims 14, 18, and 19/18 for anticipation under 35 U.S.C. § 102(b) based on Gemma, and the rejection of claim 14 for anticipation under 35 U.S.C. § 102(b) based on Park. Having traversed the objection and each of the rejections, the present application is in condition for allowance.

The present invention is new, non-obvious, and useful. Reconsideration and allowance of the claims are respectfully requested and application be passed to issue in due course.

Applicant includes a Petition for One-Month Extension of Time and payment of the fee. The Director is hereby authorized to charge Deposit Account No. 08-0219, under Order No. 0114089.121US2, the amount of \$65.00 for the one-month extension of time.

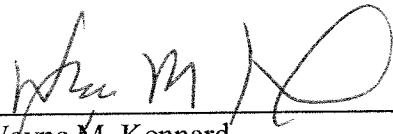
Application No.: 10/727,306
Amendment dated February 24, 2010
Reply to Office Action of November 19, 2009

Attorney Docket No.: 0114089.121US1
Date of Electronic Deposit: February 24, 2010

Applicant believes no fee is due with this Amendment. However, if there is a fee due, please charge Deposit Account No. 08-0219, under Order No.: 0114089.121US2 from which the undersigned is authorized to draw.

Respectfully submitted,

Dated: February 24, 2010



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